

REMARKS

The Examiner has failed to make out a prima facie, if the two groups of claims identified by the Examiner were to be examined together, there would be a serious burden imposed upon the Examiner (see M.P.E.P § 803). In fact, the Examiner has failed to make any showing of such a burden.

To the contrary, it appears as though no serious burden exists because the same, or very similar search is required for a proper examination of both of the groups identified by the Examiner. The number of elements common to the two main claims 1 and 16 show that this is the case. Both claims require a reciprocating driver blade moveable between a retracted position and an extended position in a hammer-arm assembly mounted in an operation relationship to the driver blade and configured to strike and bend a pin upon reaching the extended position. Furthermore, claim 17, depending from claim 16 introduces the guide shoe which the Examiner has identified as being a separate element requiring a separate search, differentiating Groups I and II.

Thus, regardless of which group is picked, the Examiner will be searching for a guide shoe in combination with the above-identified common elements to properly search the invention.

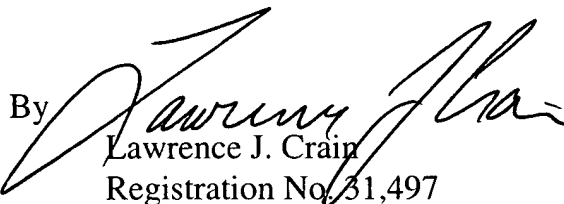
The Examiner has only identified a difference in one subclass between the search fields of the two identified groups. This does not appear to be a serious burden, and in view of the comments regarding dependent claim 17, it appears moot since both classes will need to be searched regardless of the group of claims selected.

For the above reasons, Applicant respectfully requests that the Restriction Requirement be withdrawn and that all of the claims be examined together in the above-identified application.

In the event the Examiner determines that there are issues which may be resolved by a telephone conference, he is invited to contact the undersigned or Applicant's principal Attorney Lisa Soltis, 3600 W. Lake Avenue, Glenview, IL 60025-5811, (719) 955 2983. Further correspondence in this application should be directed to Ms. Soltis at the address of record.

Respectfully submitted,

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